

#8

Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota
55402-2215 USA
TEL 612.332.5300
FAX 612.332.9081
www.merchant-
gould.com

OFFICIAL

FAX RECEIVED

JAN 28 2003

GROUP 1600

A Professional Corporation

Fax Transmission | January 27, 2003

TO: Commissioner for Patents
Attn: Examiner Robert Hayes
Patent Examining Corps
Facsimile Center
Washington, D.C. 20231

FROM: Mark T. Skoog

OUR REF: 11909.1USWO
TELEPHONE: 612.371.5240

Total pages, including cover letter: 4

PTO FAX NUMBER 1-703.872.9306

If you do NOT receive all of the pages, please telephone us at 612.371.5204, or fax us at 612.332.9081.

Title of Document Transmitted:

RESPONSE TO ELECTION/RESTRICTION
AND PETITION FOR EXTENSION OF
TIME

Applicant: HOLTZMAN

Serial No.: 09/830,749

Filed: JUNE 25, 2001

02/07/2003 LPENDER 00000003 132725 09830725
Group Art Unit: 1647

01 FC:2253 465.00 Our Ref. No.: 11909.1USWO

Please charge Deposit Account No. 13-2725 in the amount of \$465.00 for extension of time fee. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Mark T. Skoog
Name: Mark T. Skoog
Reg. No.: 40,178

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

January 27, 2003

Sheyl A. Boerboom
Signature

January 27, 2003
Date

GEN033.DOT

S/N 09/830,749

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	HOLTZMAN	Examiner:	R. HAYES
Serial No.:	09/830,749	Group Art Unit:	1647
Filed:	JUNE 25, 2001	Docket No.:	11909.1USWO
Title:	A COMPLEX OF A CHAPERONE WITH β -AMYLOID AND METHODS EMPLOYING THIS COMPLEX		

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on January 27, 2003.

By:

Name: Sheryl A. Boelboom

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the office action mailed September 25, 2002 the time for response being extended to expire January 25, 2003, the Applicant hereby makes the following elections.

Restriction

The Examiner required restriction to one of Groups I-V as follows:

Group I, claims 1-3 drawn to an isolated complex comprising a Q2 and a β -amyloid.

Group II, claims 4-11 drawn to a method of detecting in a biological sample a complex of Q2 and β -amyloid.

Group III, claims 12-21 drawn to a method of detecting aggregation of β -amyloid.

Group IV, claims 22-35, drawn to a method for screening for Alzheimer's disease.

Group V, claims 36 and 37, drawn to an antibody.

In response, the Applicant elects Group I drawn to an isolated complex comprising a Q2 and a β -amyloid with traverse. The Applicant traverses this restriction requirement as examination of Groups I-V would not be unduly burdensome to the Examiner. Specifically,

Groups I, II, and V and Claims 14 and 15 of Group III and Claims 24, 25, 26, 29, and 30 of Group IV all involve an isolated complex of Q2 and a β -amyloid. Therefore, the Applicant submits that a search could be efficiently done encompassing Groups I-V without burdening the Examiner. Moreover, as these Groups and Claims all involve an isolated complex of Q2 and a β -amyloid they form a single general inventive concept under PCT Rule 13.1.

Election of Species

The Examiner further required the Applicant to elect a species of neurotrophin from the following four:

- a. Animal β -amyloid 1-42.
- b. Animal β -amyloid 1-38.
- c. Human β -amyloid 1-42.
- d. Human β -amyloid 1-38.

In response, the Applicant elects Animal β -amyloid 1-42 with traverse. The Applicant reads the term Animal to encompass Human. The claims readable on Animal β -amyloid 1-42 therefore include 1-21, 23-26, 29-30, and 36-37. The Applicant reminds the Examiner of the duty upon allowance of a generic claim to consider claims to additional species which are written in dependent form.

Respectfully submitted,

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612/332-5300

Dated: Jan 27, 2003

By: Mark T. Skoog
Mark T. Skoog
Reg. No. 40,178
MTS:sab

